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Filing date: **04/19/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197102
Party	Defendant Stephanie F. Scudder
Correspondence Address	STEPHANIE F SCUDDER 324 SOUTH UPPER STREET, #3 LEXINGTON, KY 40508 UNITED STATES s.s@uky.edu
Submission	Withdrawal Of Application
Filer's Name	Stephanie F. Scudder
Filer's e-mail	s.s@uky.edu
Signature	/Stephanie F. Scudder/
Date	04/19/2011
Attachments	abandoned letter.pdf (2 pages)(200211 bytes)

Proceeding No. 91197102
Application No. 77930069
Applicant/ Defendant S. F. Scudder
Date: 04/19/2011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197102
Individual Applicant/ Defendant	Stephanie F. Scudder 324 South Upper Street # 3 Lexington, KY 40508 UNITED STATES s.s@uky.edu
Opposes/Plaintiffs	Vail Valley Foundation; Vail Trademarks, Inc Correspondence via: Marc C. Levy FAEGRE & BENSON LLP 1700 Lincoln Street 3200 Wells Fargo Center Denver, CO 80203-4532 UNITED STATES trademarkdnvr@faegre.com, mlevy@faegre.com

37 CFR § 2.68 Express Abandonment (withdrawal) of Application.

The application serial No. 77930069 is hereby expressly abandoned by the Applicant/ Defendant S. F. Scudder due to settlement negotiations with the Plaintiffs - (i.e. Plaintiffs “are willing to forgo a damages claim against you for your past infringing use of the mark to sell merchandise if you abandon your application and stop using the mark.” – (M. C. Levy, 2/4/2011))

The following is a list of potential settlement terms stated in correspondence from Plaintiff’s attorney (M. C. Levy, dated 4/18/2011):

“1. You abandon your current trademark application (Serial No. 77930069) for the applied-for trademark;

2. You cease all use of the applied-for trademark (or any other name or designation referencing or related to the 2015 World Alpine Ski Championships at the Vail and Beaver Creek ski resorts); and

3. Subject to your compliance with items 1 & 2, Vail Valley Foundation and Vail Resorts (including their respective subsidiaries, employees and agents) will release all claims against you relating to your past use of the applied-for trademark.
4. Subject to your compliance with items 1 & 2, you will receive an Epic pass for the 2014-15 season.”

* * *

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their attorney’s address record by email.

Respectfully submitted,

/Stephanie F. Scudder/

Stephanie F. Scudder

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UNITED STATES

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